

Planning and Zoning Commission Meeting Minutes October 27, 2008

6:00 PM Call to Order	A regular meeting of the City of Maricopa Planning and Zoning Commission was held at Global Water Center (22590 N. Powers Parkway – Maricopa, AZ 85238). The meeting was called to order at 6:00 pm.
Invocation	Commissioner Wade delivered the invocation.
Pledge of Allegiance	Commissioner Robertson led meeting attendees in the pledge of allegiance.
Roll Call	Commissioners present were: Commission Chair Rich Reeves, Vice Chair Bruce Houghton, Commissioners Tom Bradbury, Dale Jones, Mike Robertson, Courtney Tyler and Henry Wade. City representatives present were: Planning Manager Kazi Haque, Planner II Eric Fitzer, Planner's Assistant Rudy Lopez, Assistant Planner Victor Castillo, Tribal Liaison Keith Betsuie, Assistant to the City Manager Nicole Dailey, City Attorney Tina Vannucci, and Commission Secretary Julia Gusse.
Agenda Item 3.0: <u>Call to the Public</u>	No one from the Public came forward.
Agenda Item 4.0: <u>Approval of Minutes</u>	Commissioner Jones made a motion to approve agenda item 4.1, approval of the September 22, 2008 Planning and Zoning Commission Meeting Minutes as amended. Commissioner Houghton seconded. Motion passed unanimously, 7-0.
Agenda Item 5.1: <u>Public Hearing PAD 07.05</u>	<p>Red Valley Ranch Planned Area Development (PAD) Major Amendment. A request for a major amendment to the Red Valley Ranch Planned Area Development. A request by Omega Management for approval of an Amendment to the Red Valley Ranch Planned Area Development (PAD) located within the City of Maricopa Incorporated Limits. The Applicant is requesting to amend the PAD Overlay of ±160 acres to allow for a reduction in allowable minimum lots size from 45 ft wide to 40 ft wide lots. The Red Valley Ranch PAD was approved on August 13, 2004 by Pinal County; Case number(s) PZ-040-03 and PZ-PD-040-03. The property is generally located; north of Steen Road, south of Farrell Road, east of Murphy Road and west of Anderson Road; within the incorporated limits of the City of Maricopa.</p> <p>Planner II Eric Fitzer presented this agenda item. Displayed overview. Stated that Anderson Road was a major corridor that the City may need some day the Developer proposed to allow a 150' buffer adjacent to the development. The trade for that would be lot size minimums of 40'; to provide diversity of lot size products while still allowing Developer to implement his development plan.</p> <p>Commission Chair Rich Reeves opened the Public Hearing PAD 07.05.</p> <p>Mr. Steven Tomita, Omega Management Services representing the owners of Red Valley, stated that this had been a long process to modify the layout to provide better open space configurations for much needed roads. Suggested that Staff Recommendations item number 14; language be modified within this stipulation.</p> <p>Commission Chair Rich Reeves closed the Public Hearing and moved onto discussion and action of PAD 07.05.</p> <p>Commissioner Jones stated that with the number of lots and their width/depth; they have picked up much land. Questioned if the land was going to streets.</p>

	<p>Planner II Eric Fitzer stated that this created an increase in open space; 18%. Stated that they picked up many amenities from this review.</p> <p>Commissioner Jones questioned if this was not 20% because it was approved before it came into the City.</p> <p>Planner II Eric Fitzer stated that this was correct and they had every right to go forward with their existing zoning but the Developer decided to go this way.</p> <p>Commissioner Houghton commended the Staff in making the significant improvement on the site plan originally submitted with Pinal County. Stated that he is concerned with what has happened with the lot sizes; the 40' X 120' lots in particular. Due to the 8' side set-backs you have a 20' width to work with.</p> <p>Planner II Eric Fitzer stated that they proposed a 5' set-back.</p> <p>Mr. Tomita clarified that it calls for a 5' side set-back and within the old code it was 8'.</p> <p>Commissioner Houghton questioned that the minimum set-back according to the code is 8'.</p> <p>Planner II Eric Fitzer stated that this was a miss-type and it should show 5'.</p> <p>Commissioner Houghton questioned if they were looking for a variance on the minimum, stated that the chart according to the County shows 8'.</p> <p>Mr. Tomita stated that they would be asking for a variance.</p> <p>Commissioner Houghton questioned if this was approved by the County.</p> <p>Mr. Tomita stated that it should show 5'.</p> <p>Commissioner Houghton questioned if it is 5'; this would put it at 30'. Buildings side line to side line, as pointed out, you have homed every 10'. Stated that he drove around Maricopa and looked for a 40' width and could only find 45'. Stated that the 45' homes that he did see were not very attractive. Questioned what type of product would go in there.</p> <p>Mr. Tomita stated that there are ways to minimize the affect of the garage; by recessing the garage and bringing the front of the building out, overhead balconies and porches. Stated that they are not the housing builder and that they build the lots and sell it to the homebuilders. Stated that stipulations are in place; they will bring their plans in for approval.</p> <p>Commissioner Houghton stated that the more you make the adjustments, the less square footage for the home living space. Stated that the way he looked at it with the 8'; you have approximately 1,600 square feet. Questioned if they are planning on building almost all two story in those lots.</p> <p>Mr. Tomita stated that there would be a good portion of two story homes; 50 – 60%.</p> <p>Commissioner Houghton stated that this would amplify the problem. Stated that</p>
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	<p>homes that are going to be sold on these lots should be a part of the site plan review process; it will make a difference how they perceive the site plan. Stated that 40' lot sizes were unacceptable in his opinion.</p> <p>Mr. Tamita stated that it brings about an interesting situation. The concern is with the zoning that they have in place, the site plan was approved with that zoning. Stated that what they have come up with would allow them to maintain the number of lots they had which creates an economically feasible development. When you consider all the extensions of the roads and everything they have to do to develop this, it keeps the integrity in while providing an increased open space and provides for master roads that are being asked for. It is kind of a tough situation to come about; to do away with the 40' lots will decrease the amount of lots we have and the liability of our project and this is tough in this market especially.</p> <p>Commissioner Houghton stated that they have traded the nice look that has been achieved by the improvements that City Staff has asked for but we have traded off to (what he considered) a more undesirable standard of living. Does not know what can be done to correct this situation but stated that this is not a good situation.</p> <p>Mr. Tamita stated that the way to correct this would be by the design of the homes going into those lots; the style of home allows for diversity and this is something a builder would have to deal with since they are not the housing company.</p> <p>Commissioner Houghton restated that in his opinion this site plan should include what type of homes would be on these lots.</p> <p>Planner II Eric Fitzer stated that the current process is to amend the zoning since the site plan has not been approved by Staff. Stated the zoning amendment is to allow going down to the 40' width lot size. With the Pinal County's approval we have no governance as to what type of home or design that will go on the lots because there is no stipulation put on the County. What they have allowed us to do is review the products that will be coming in.</p> <p>Commissioner Houghton questioned if the action they are taking is an amendment since they are making changes to the site plan.</p> <p>Planner II Eric Fitzer stated that the amendments to the zoning is for the minimum lot size.</p> <p>Commissioner Houghton stated that they came in with 259 lots with 55' frontage, 316 lots with 45' frontage; questioned why we could not stay with those lot sizes.</p> <p>Planner II Eric Fitzer stated that they could stay with it but under this governance we have more say of what is going on. Staff believes that they have gotten a better way out with this.</p> <p>Commissioner Houghton stated because we want them to provide a more consistent site plan, we are forcing them to go with a smaller lot size.</p> <p>Planner II Eric Fitzer stated that they are not necessarily forcing them; with the trade-in of design they are providing 150' of right of way on Anderson road and open space, those are the things they traded for.</p>
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Commissioner Houghton stated it was the same thing since we have asked them to provide more open space and in order for them to maintain their 575 lots, they are having to go to smaller lot sizes or fewer lots.

Planner II Eric Fitzer stated that much architecture of urbanism is dictating smaller lots; it would mean the review the architectural renderings of the homes being put there.

Commissioner Houghton questioned that they do not get the opportunity to do that since this is their only shot at it.

Planner II Eric Fitzer stated that under the subdivision ordinance, we have regulations that require certain things of those architecture renderings and these are more stringent than what was approved previously. Stated that if this does not go forward, they can go ahead and develop their project with the former approved zoning and what this means is that we have no governance over what type of architectural designs go out there.

Commissioner Robertson requested examples of where the Commission has previously revised the 45' lots to 40'.

Planner II Eric Fitzer stated that this has not been done on a County project and that this would be the first time. Stated that in regards to smaller lot size approval; Daltessa Heights has some this configuration and stated that at Avalea they have allowed 40' wide lot sizes.

Commissioner Robertson questioned if this was not outside of the norm.

Planner II Eric Fitzer stated that it is not outside of the norm however it is outside the norm for a Developer to come in and propose to amend his zoning at this point.

Commissioner Robertson questioned if they were to deny the zoning, they are under no obligation and they can build the plan they originally had.

Planner II Eric Fitzer stated that he would not make a recommendation and would leave that up to the Board of Adjustments.

Commissioner Jones stated that in this case, they would come in for a platting and move forward. Stated that they would attempt to dress it up and that this was the attempt to try to dress it up.

Commissioner Robertson stated that they would have no obligation at that point.

Planner II Eric Fitzer agreed to the statement.

Commission Chair Reeves stated that with the right builder with the vision and forthright to work with lot sizes such as these, the neighborhood can look very attractive.

Commissioner Houghton stated that there are two developments in Maricopa that did not achieve that. Questioned if whether they were going to get something that looks nice or a cookie cutter non-attractive development.

Commissioner Robertson argued that if they were to go back with the original plan; the previous proposed plat was disturbing. Although he agreed that he did not care for the 40' lots, stated that the new plan is certainly more acceptable.

Commissioner Houghton stated that he would be more comfortable with this if they were to be one story homes other than two story homes.

Commissioner Wade questioned what if they were trying to protect the pocketbook of this Developer or the way the community looks. Stated that as a Real Estate Professional and Appraiser, he tends to agree with Commissioner Houghton; is not impressed with communities built like this and it would depend on the type of a product the builder would bring. Stated that it seems to him that our hands are already tied and they continue to tie their hands if they allow the variance when this could be the only chance to have an impact on it.

Commission Chair Reeves stated that given the choice between Exhibit A and Exhibit B, he is definitely with Commissioner Robertson. Stated that Exhibit A and the original concept was a bit frightening, the fact that it looks like all concrete.

Commissioner Jones questioned if they were to deny their request can they require them to dedicate land for the widening of those streets.

Planner II Eric Fitzer stated that no it could not, it would be going through the platting process through their existing zoning unless they decided that they wanted to come in for another amendment process, it would be up to the Developer.

Commissioner Jones questioned the Developer as to what condition he had a question on.

Mr. Tamita stated that this had to do with Volkswagen. Stated that in their agreement with Volkswagen, is that if they go away, the agreement with them goes away also. This would be a permanent stipulation and it would not go away when Volkswagen goes away.

Commissioner Jones questioned how long he had the Staff Report.

Mr. Tamita stated that it had been a week or two.

Commissioner Jones questioned if he had taken this up with the Staff.

Mr. Tamita stated that he did not.

Commissioner Jones questioned the Staff's response.

Planning Manager Kazi Haque stated that it is more typical for the Developer to approach the P&Z with this request.

Commission Chair Reeves questioned if they had a time frame with Volkswagen.

Planning Manager Kazi Haque stated that this is what they are saying; which ever takes place first. Stated that this is a good start and that they have not seen the pre-plat but could make stipulations at that point.

	<p>Commissioner Houghton stated that there is not much flexibility with a 40' width.</p> <p>Planner II Eric Fitzer stated that when you have a 40' lot size and it is not marketable to a home builder, they would not purchase it with a Developer to build. Stated that 40' lots have worked in other communities and has allowed for added density.</p> <p>Commissioner Houghton stated that his concern is the look of the community and stated that they still have many developments to go and with this we may be setting precedence with 40' lots and this is not a good precedence.</p> <p>Planner II Eric Fitzer stated that this adds diversity to the community. Stated that if the 40' lots sell, it is better to have sold lots than lots that sit empty.</p> <p>Commissioner Houghton stated that he is looking at it from an economic view and the Commission is looking at it from a planning point of view.</p> <p>Planner II Eric Fitzer stated that you have to look at it from an economic aspect within planning.</p> <p>Planning Manager Kazi Haque stated that there are homes that share a common setback. Stated that one of the most important aspects of this development is to see the Transportation element of it; this goes hand in hand with land use planning.</p> <p>Commissioner Houghton questioned how many more developments are there where the County has approved.</p> <p>Planner II Eric Fitzer stated that there will be many when the City annexes these and there are many on a daily basis, most of the Planning's job is going through County approved projects.</p> <p>Commissioner Houghton stated that the County is not as stringent as to the quality of development we have in Maricopa.</p> <p>Commissioner Tyler questioned if there was any way to mix up the 40' and 45' lots and disperse the lots to get away from the cookie cutters.</p> <p>Mr. Tamita stated that they would have to look at that as they move forward to platting, stated that it has been done but that it is very rare. Stated that it makes it very difficult for builders when you try to sell it mixed. Stated that they have developed a Master Planned Community in Gilbert with this diversity due to the buyer market changing. Stated that 70% of the buyer market across the nation are the empty nesters and they are looking for the smaller lots.</p> <p>Commissioner Tyler suggested splitting a specific area denoted on an overview map.</p> <p>Mr. Tamita stated that they would have to look at that and the reason he does not say yes is because when you start breaking up the green lot areas, they become unusable; they conduce crime to happen and induce maintenance problems because they are not being used and they are inviting problems.</p> <p>Commissioner Tyler questioned the Volkswagen stipulation, can this be worded so they would have to come back before P&Z before it can be removed.</p>
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	<p>Planner II Eric Fitzer stated that this can be done.</p> <p>Commissioner Tyler stated that she did not want them to wait and sell those back lots until Volkswagen closes; they would wish that they would just develop.</p> <p>Planner II Eric Fitzer stated that he has been in communicating with Volkswagen and they have requested that this stipulation be included.</p> <p>Commissioner Tyler questioned if they leave the stipulation on there, they can always come before them when VW closes.</p> <p>Planner II Eric Fitzer agreed.</p> <p>Commissioner Wade questioned if they said no, how difficult would it be to keep at 45'.</p> <p>Mr. Tamita requested clarification on the question.</p> <p>Commissioner Wade stated that if the commission declines it, how difficult would it be to keep at 45' with what you are proposing.</p> <p>Mr. Tamita stated if the Commission says no, what they would do is what they had proposed originally.</p> <p>Commissioner Wade stated that if they could move forward with 45' lots.</p> <p>Mr. Tamita stated that it would have to depend with what type of lot configuration they can come up with and keep their density. Clarified that as discussed, they have no obligation to the road dedications.</p> <p>Commissioner Wade stated that they are trying to balance; what they need and what the community needs.</p> <p>Mr. Tamita stated that it would depend on what is asked.</p> <p>Commission Chair Reeves questioned that with the proposed, how many phases do they envision.</p> <p>Mr. Tamita stated that this is something they are trying to determine since the entire market has changed.</p> <p>Commission Chair Reeves stated since it will be some time for the smaller lots to be developed, there are certain lessons to be learned by other developments and other ventures that are going to be using the smaller size lots.</p> <p>Commissioner Houghton questioned the economic times and if there would be some type of downsizing in housing since this is something that people are going to be looking for.</p> <p>Mr. Tamita stated that there are two factors; what's going to be affordable to the homebuyer and the financing capabilities of the homebuyer and how far individuals have to go to work. Commended the city in their efforts of getting jobs within the City because this is going to be crucial. The last factor is the investors, the growing economy</p>
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	<p>do not want big stuff.</p> <p>Commissioner Tyler moved to approve Agenda Item 5.1, subject to stipulations.</p> <p>Commissioner Robertson seconded.</p> <p>Commissioner Jones questioned if there was any discussion in reducing the number of lots; more 45' and less 40'.</p> <p>Mr. Tamita stated that this was not a possibility since they have based their budget on that amount of lots.</p> <p>Commissioner Wade commented that real estate needs to take a look at the way they do things. Stated that one of the reasons people are facing foreclosure is because the lenders do not want to discuss principal reduction. Stated that this is why he asked how difficult it would be to stick with the 45' lots and make it work for both; we have to loose some and you may have to loose some.</p> <p>Mr. Tamita stated that monies expended (platting, amending, etc...) and there is a tremendous investment there that has gone down the tube. It has become more critical because those numbers are gone and we are trying to salvage some of it.</p> <p>Commissioner Wade stated that he would imagine those who lost \$100,000 in equity feel the same way.</p> <p>Mr. Tamita stated that it is an extremely difficult question to ask without having a crystal ball.</p> <p>Commissioner Houghton stated that with this particular development, it is probably the best interest of the City that we approve this because of the amenities we are getting. Stated that the homeowners who end up buying it will not be that excited but the burden goes to the Developer to find the people who are willing to buy them.</p> <p>Commissioner Chair Reeves agreed and stated that if they leave stipulation 14 as is, this can be addressed at a latter time.</p> <p>Planner II Eric Fitzer agreed.</p> <p>Commissioner Wade requested that they table this until the next meeting to give Planning and the Developer the opportunity to review.</p> <p>Commissioner Chair Reeves stated that there is a motion in place to approve. Requested a vote from the Commission.</p> <p>Roll Call Vote as follows;</p> <p>Commission Chair Rich Reeves Yes</p> <p>Vice Chair Bruce Houghton Yes</p> <p>Commissioner Tom Bradbury Yes</p> <p>Commissioner Dale Jones Yes</p> <p>Commissioner Mike Robertson Yes</p> <p>Commissioner Courtney Tyler Yes</p> <p>Commissioner Henry Wade..... No</p>
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	Motion passed, 6-1.
<u>Agenda Item 5.2: Introduction of Mr. Keith Betsuie as Tribal Liaison</u>	<p>Mr. Keith Betsuie spoke to the Commission in regards to his role as the Tribal Liaison. Stated that Councilmember Marvin Brown is the designated Council representative that works with the Native Communities. Suggested that in the future the Planning and Zoning Chairman Reeves meet with the Gila River and Ak-Chin Planning and Zoning Chairperson.</p> <p>Commissioner Wade thanked Mr. Betsuie and stated that they appreciate his dedication.</p> <p>Commission Chair Reeves stated that this is a great opportunity and recognized that our growth and success will be handled well with the Native Communities.</p> <p>Mr. Betsuie stated that they can be great partners if they approach this the correct way; engage them and involve them.</p> <p>Commissioner Bradbury requested Mr. Betsuie's contact information.</p>
<u>Agenda Item 5.3: General Plan Goals and Objectives</u>	<p>The Assistant to the City Manager Nicole Dailey will lead the Commission in a discussion of the review of General Plan Goals and Objectives. Ms. Dailey displayed an overview of the review process and findings. Reviewed the top 10 Goals and Objectives feedback from the Commission. Concluded with the overview; "on-hold" Goals and Objectives.</p> <p>Commissioner Jones questioned how many Commissioners responded.</p> <p>Ms. Dailey stated that she received three written comments and one verbal statement.</p> <p>Commissioner Jones questioned if the Council received this and if they were asked for suggestions.</p> <p>Ms. Dailey stated that they have not received this but have received a status update.</p> <p>Commissioner Jones questioned if the Council and other Committee's had been asked to review this. Stated that the more people involved the better results you will have.</p> <p>Ms. Dailey stated that the Council will review and stated they can certainly due that but that there is no real defined process.</p> <p>Commissioner Houghton questioned how the strategic plans relate to this.</p> <p>Ms. Dailey stated that the General Plan in most cities generally have a 25 year focus; 5, 10, 15, 20, 25 years, a long range focus. The strategic plan narrows down key topics for a 1 to 3 year focus.</p> <p>Commissioner Houghton questioned if the strategic plan was focusing on specific objectives.</p> <p>Ms. Dailey stated that the strategic plan focuses on the big foundational document and assess what is doable in the next 1 to 3 years and General Plan is written in a much broader focus.</p> <p>Commission Chair Reeves stated that there needs to be a prioritization; what are</p>

necessities and what are amenities. Stated that the focus needs to be to keep people and the money in Maricopa.

Commissioner Robertson questioned if the City Campus is City Hall, Courts, etc...

Commissioner Chair Reeves stated that campuses that he has seen have a City Hall, Courts, library, a park; the showcase of the City in one large area.

Commissioner Robertson questioned a much needed revenue generator verses the amenities (such as a ballpark).

Ms. Dailey stated that Commissioner Robertson brought up a good point. Stated that the Downtown area does not have a real sense of identity; discussed the Redevelopment District. Stated that maybe the downtown was something that was missed within the report and may be something that they might want to cover.

Commissioner Houghton stated that there may be an economic stimulus package that could very well focus on public works projects. Stated that it seems to him that this would be a good opportunity for the city to start thinking about what kinds of things may be coming out of stimulus package that may assist the city, the downtown in particular and of course transportation may be another.

Commissioner Tyler stated that she would like to see the City prioritize getting business out here "an Intel"; working on ways of getting the jobs out here.

Ms. Dailey stated that the re-development district has been working on that and where those types of businesses would go. Stated that they are working on getting the financial incentives in place.

Commissioner Wade questioned the next step from here.

Ms. Dailey stated that she would take this to other Committees and have the internal staff review their elements and then take it to Council at the end of November or start of December with recommendations and start to get their feedback.

Commissioner Wade questioned if Ms. Dailey wanted further input from the Commission.

Ms. Dailey agreed and stated that she would get the input to the Commission prior to going to Council. Stated that what the Commission received was a consensus of the feedback.

Commission Chair questioned how far away from a railroad track does a hospital have to be.

Planning Manager Kazi Haque stated that he can provide the information but believes it is ¼ mile or 1,000 feet due to noise and vibration.

Agenda Item 6.0: <u>Report from</u> <u>Commission and/or</u> <u>Staff</u>	<p>Planning Manager Kazi Haque discussed the November 10th General Plan Amendment meeting at Maricopa Elementary School, and the Commissioner's possible attendance at the Boards and Commissions Annual 2008 Conference in December.</p> <p>Commissioner Chair Reeves reminded all in attendance about the election next week and urged everyone to vote.</p> <p>Commissioner Wade commented on his attendance at the Department of Real Estate's Smart Growth score card meeting. Stated that Kazi and Eric were in attendance and stated that they represented Maricopa very well.</p>
Agenda Item 7.0: <u>Executive Session</u>	<p>The Commission did not go into Executive Session.</p>
Agenda Item 8.0: <u>Adjournment</u> 8:01 p.m.	<p>Commissioner Jones made a motion to adjourn the meeting at 8:01 pm. Commissioner Houghton seconded. Motion passed unanimously, 7-0.</p> <p>The meeting was adjourned at 8:01 pm.</p>

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Maricopa Planning and Zoning Commission held on the 27th day of October, 2008. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of October, 2008.

 Julia Gusse, Secretary, Planning and Zoning Commission